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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/728,724

12/01/2000

Kiran Gurudutt Bellare

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EXAMINER

CHOUDHURY, AZIZUL Q

ART UNIT

PAPER NUMBER

2445

MAIL DATE

DELIVERY MODE

11/06/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	<p>Application No. 09/728,724</p>	<p>Applicant(s) BELLARE ET AL.</p>	
	<p>Examiner AZIZUL CHOUDHURY</p>	<p>Art Unit 2445</p>	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 20 October 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2445

Continuation of 11. does NOT place the application in condition for allowance because: they are not deemed fully persuasive. The applicant's after final arguments comprise of three principal arguments. With regards to the first point of contention, the applicant contends that just data is being sent not user identification data. The examiner respectfully disagrees. The user first logs into the system (allowing the user identifying information to be transferred from the client to first server (equivalent to the claimed second server)); see column 5, lines 4-9, Nachom. Within column 5, lines 18-42, Nachom teaches how a GET command is then sent from the first server (equivalent to the claimed second server) to the second server (equivalent to the claimed first server) allowing for the retrieval of products of interest to the user. By knowing which products are of interest to the user, it is implicit that user-specific information (user identification information) must have been passed as claimed. This is also supported by the fact that user identifying information is collected at the time of logon. The applicant then makes the second argument contending that neither prior art teach the claimed step of retrieving user information that corresponds to the user identification collected from the user from a database. The examiner again respectfully disagrees. Nachom teaches how when the second server (equivalent to the claimed first server) receives the GET command (which as stated above implicitly contains user identifying information) it searches a database to retrieve content information that may be of interest to the user (which is deemed equivalent to the claimed retrieving user information corresponding to the user identification data; see column 5, lines 18-42, Nachom). The applicant then makes the final principal argument that neither art teaches the first server applying the retrieved user information to a rule base. The examiner again respectfully disagrees. Nachom teaches the second server (equivalent to the claimed first server) sending user targeted ads (the ads are developed to be of interest to the particular user hence again as stated above, it is implicit that user identifying information is sent between the servers) to the user (see column 5, lines 18-42, Nachom). However, Nachom did not explicitly teach the user of rules in the development of these user specific ads. In the same field of endeavor, Tso teaches how ads are customized using custom rules (see column 7, lines 47-50, Tso). For these reasons, it is believed that the claimed limitations are indeed taught by the prior arts and the rejections therefore stand.